

A Comprehensive In-

'KNOWLEDGE IS power" said a 17th century philosopher Francis Bacon, and "nothing is permanent except change" said the Greek philosopher Heraclitus. The natural conclusion of these two maxims requires that attorneys regard updating their knowledge and improving their skills their highest priority.

It is worth noting that continuing legal education (CLE) had its formal roots following World War II, when attorneys returning from the military needed to refresh their legal skills. In the past four decades, CLE has changed from a voluntary scheme to a requirement of most state bars.

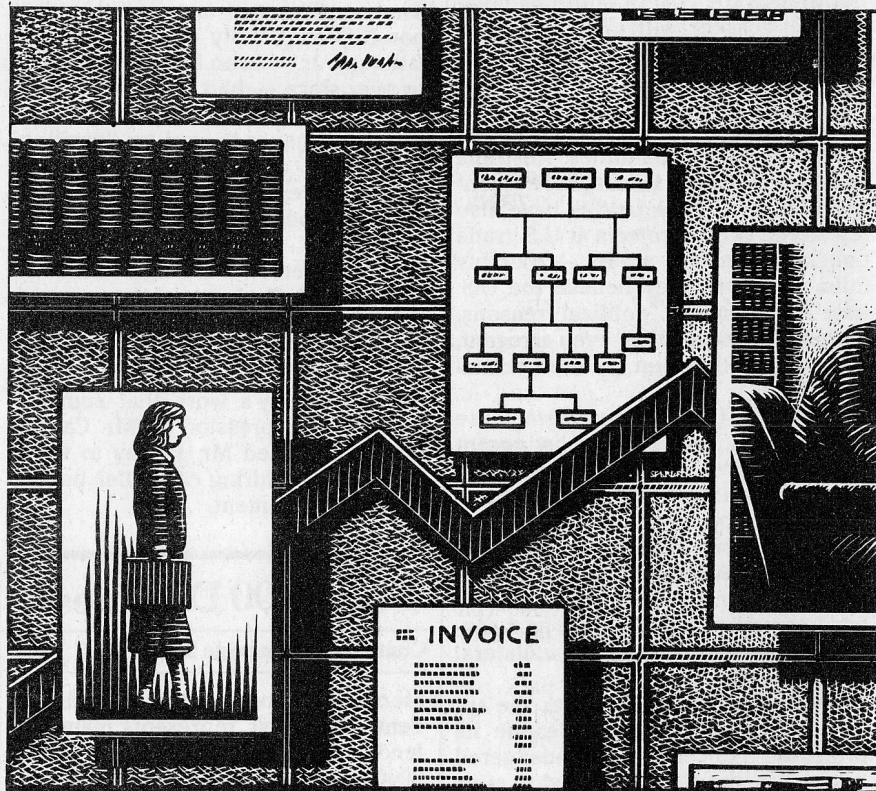
New York recently joined the trend towards mandatory continuing legal education by enacting a requirement for newly admitted attorneys to attend 32 hours of CLE during their first two years of practice. Now it has passed new regulations (to take effect in 1999) that require all attorneys to attend at least 24 hours of CLE courses biannually and to report on such attendance as part of their biannual registration process.

Librarians are ideal candidates for assuming that key role in developing and operating CLE programs. They are the knowledge facilitators and are closely connected to the suppliers of CLE programs. In the minds of others, Librarians have already made the transition from the image of book-based warehouse custodians to knowledge managers.

Eight Basic Steps

The eight basic steps to developing a comprehensive CLE program are: conducting a needs assessment, establishing policy and support, developing a mentor, determining and using what is available publicly, developing in-house programs for certi-

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fication, uncovering and using internal resources, publicizing the program, tracking attendance and surveying for improvement.

Where appropriate, we have used examples from Credit Suisse First Boston over the past two years.

The first step of any successful program is to survey the applicable audience to determine its needs. Issues may include ascertaining the current attendance level, whether the attorneys have been attending CLE programs to meet license requirements in another state and the attorney's thoughts as to the CLE programs best for them, given their individual backgrounds, practices and time constraints.

While CLE has such justifications as making attorneys more competent, ethically aware and professionally responsible, not everyone looks forward to mandatory CLE. The more it responds to the perceived and actual

needs of the audience, the more likely it is to be embraced and found rewarding.

Establishing Policy

A successful program must have a clear policy and widespread support. Policy and procedure are to be tailored to the organization's mission and value statement.

The goal is to ensure that the institutional culture fosters and rewards learning. That requires top-level support and leaders who champion it. Key to marshalling support is to ensure that the senior managers are involved and personally supportive, in both their written and oral communication, of the goals and procedures of the program. In addition, an activist CLE Committee is very useful for marshalling support, making suggestions and starting the momentum toward continual learning.

House CLE Program

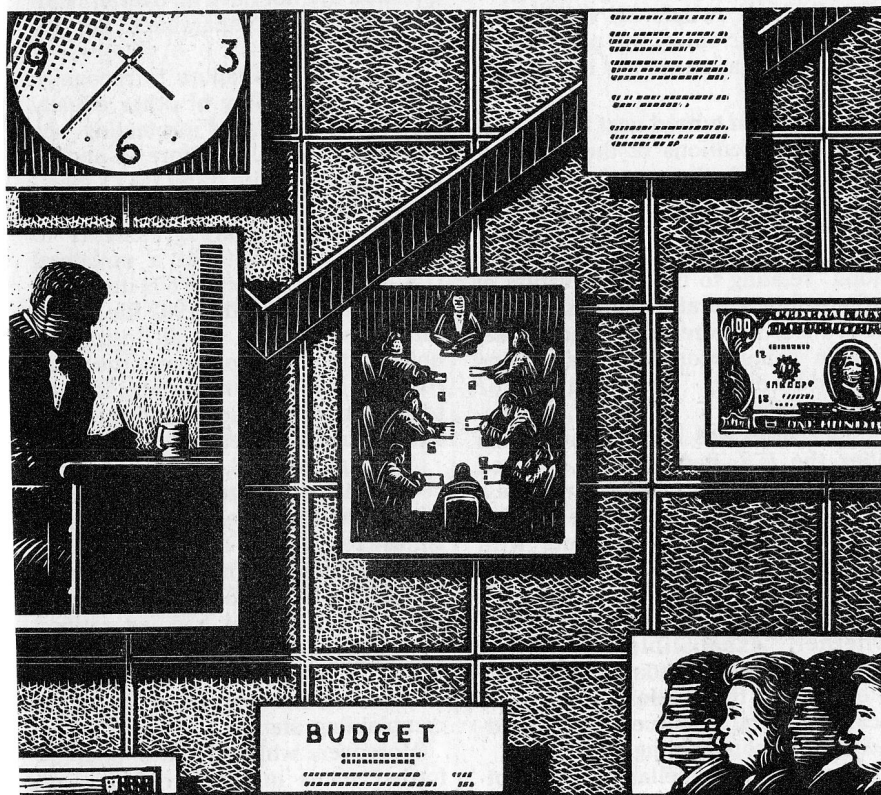


ILLUSTRATION BY JOHN MACDONALD

Most in-house counsel perceive that staying current on legal developments, learning new skills and gaining additional knowledge provide an edge in serving clients in one's current position, or when seeking a promotion. From a corporate standpoint, continuing education represents a significant contribution to staff loyalty and assists in keeping staff.

Developing a Mentor

Locating an appropriate role model who has previously developed a successful CLE program is an important step in assuring the success of any new program. Preparing and running a CLE program requires massive efforts, and the key is in the details. A mentor can be a great help in making sure that everything is considered and planned for.

So far, 66 CLE providers have been accredited by the New York State

Continuing Legal Education Board. They include 11 of the State's law schools, 21 law firms, 17 bar associations, five publishers, traditional CLE providers, eight governmental organizations and other organizations. One of the most cost-effective ways to provide CLE in New York City is to become Privileged Members of the Practising Law Institute. That program allows an organization to send legal staff to as many PLI programs as they have the time for at no additional cost.

In addition, various colleges and business schools have valuable classes. Note, however that while these courses may be a key part of any continual learning program, they may not always be eligible for CLE credit. If CLE credit is a primary factor in choosing the course, it is important to check on the program's status.

Consideration should be given to a wide range of alternative forms of CLE

LAW OFFICE MANAGEMENT

BY NATHAN AARON ROSEN

delivery, including satellite broadcasting/videoconferencing, telephone, video or audio tape, the Internet (live or using RealAudio format), CD-ROM and, of course, organizational meetings at varied locations, which could even include CLE programs at popular beaches, ski or other resort locations or cruises.

In-House Programs

In addition to publicly available CLE programs, it is appropriate to develop in-house programs that can provide focused education accredited for CLE credit.

The requirements for developing and conducting an accredited in-house CLE program are not burdensome. The New York State Continuing Legal Education Board has prepared a simple two-page Application for Accreditation of Continuing Legal Education Activity. The board approves individual courses quickly. The requirements for becoming an Accredited Provider are more extensive; the applicant must have produced an average of 10 or more CLE courses in each of the preceding three years and provide the board with a sampling of those courses.

Preparing in-house programs has three steps: pre-presentation, presentation and post-presentation. The pre-presentation phase includes locating a physical setting that is comfortable and conducive to learning, scheduling the program at a time and location so as to be free of interruptions from telephone calls and office matters, developing and distributing publicity, working with the speaker to prepare

Continued on page 33, column 2

An In-House CLE Program

Continued from page 5, column 6

high quality, readable and carefully written handout material, developing an evaluation questionnaire to be distributed at the event, having the speaker prepare a resume and deciding whether to provide food or capture the program via audio or video.

During the presentation, introductions must be made and a question-and-answer period should be conducted after each speaker. Attendance must be taken and evaluations distributed, collected and saved.

In the post-presentation phase, the evaluations must be summarized, the application to the board prepared and thank-you notes written. After the board's approval is received, certificates of attendance should be provided to all attendees.

A wide variety of external people can be selected to speak and conduct training. Paid professional trainers are a natural source of speakers, as are attorneys in government practice and law school professors. In addition, law departments are particularly well suited to provide attorneys to speak, as are law firms who would like to get business from the corporation.

Because continuous learning is not limited to meeting CLE requirements, Credit Suisse developed as part of its in-house programs a number of special workshop programs targeting specific skills. One program was a writing workshop, which included individual evaluation of actual work-related writing and coaching sessions. Another was a high-level 2 1/2-day management training session conducted outside of the firm; individual meetings before and after workshops were conducted with each of the participants.

Internal Resources

One should strive to discover internal resources available to assist in educating the organization. Often, an informal survey of the staff will identify individuals who have the special knowledge or skills that can be used to educate or train other in-house staff. Nearly every organization will be able to identify and use some of its own internal people to provide CLE or educational programs. The information technology training coordinator, for example, may have classes and a network of outside trainers in the areas of word processing, spreadsheet and database programs.

Further, a wide variety of non-technical programs may be available to the legal department, including stress management, time management, management skills and presentation skills.

Distributing Information

For a CLE to be successful, a strong continuous distribution mechanism must be constructed to catalog upcoming programs and to communi-

cate information about those programs. To be most effective, the information must be made available to the attorneys via flyers, reminders at firm and departmental meetings and e-mail. A calendar on the Intranet can be very efficient in making information about programs available on a continual basis to everyone.

The calendar would include the title of the program and the sponsor. For nearly one-third of the programs (those that were expected to have the highest interest level), the program brochure or a narrative article about the program was loaded as a hypertext link. For nearly all the Practising Law Institute and American Law Institute-American Bar Association programs, the Web page from their Internet site was downloaded and then fully uploaded as a hypertext link in the firm's Intranet for quick and easy access. To be successful and reach everyone, the program must be regularly and consistently promoted.

Tracking Attendance

Attendance must be tracked and the users constantly surveyed for ways to improve the program. Non-attendees must be identified and surveyed to determine what programs would be of most interest to them and to determine if alternative formats or program structures are necessary.

To track attendance adequately, either a database or spreadsheet should be constructed. It is a good idea to distribute regular reports about the success of the program to senior management. Data can be collected in the spreadsheet many ways (by sponsor by department and by user) and used to prepare a budget and to make sure that everyone is given an opportunity to participate. It also helps ensure that programs of interest are offered to as wide an audience as appropriate. Make sure that all the charges are posted to the correct account and that the charges reflect agreed-upon discounts with vendors.

Because CLE is part of building the knowledge base of the firm, you may wish to require participants to give the course materials or books to the department's library, making it available to the entire legal department. Even if attendees are permitted to keep the material in their office, the library should still catalogue it. The record should include a detailed table of contents and multiple subject headings. That way, everyone becomes aware of the existence and location of the CLE materials.

By following these steps, the in-house CLE program is on the road to success. The process of continuous learning is critical to the individual's personal development and the firm's competitiveness. CLE plays an important part in making sure that the attorneys keep up in their knowledge of the law and improve their skill in understanding and using it.